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IN THE DISTRICT COURT FOR THE VIRGIN ISLANDS DIVISION FOR ST.THOMAS AND ST.JOHN

KELLEY MALA, Plaintiff,

CIVIL.NO.2006-120

Vs.

CROWN BAY MARINA, INC, et al., Defendants.

PLAINTIFF KELLEY MALA MOVES AND WITHDRAWAL ANY AND ALL MOTION FILE UNDER RULE 56(e) Fed.R.Civ.Proc. AND WITH WITHDRAWAL MOTION TO STAY APPEAL PENDING REVIEW OF ANY MOTION FILE UNDER RULE 59(e) TO ALTER AND CORRECT (DE.#493) JUDGMENT AND FINAL ORDER OF DECEMBER 15,2010

COMES NOW the Plaintiff Mala moves and withdrawal motion file on December 15,2010 under Rule 59(e) Fed.R.Civ.P.to stay Appeal pending the Court argue and decide the matters in claims.

Respectfully submitted this day December 18,2010

Kelley Mala-Plaintiff

P.O. BOX 6493

St. Thomas, V.I. 00804

CERTIFICATE OF SERVICE

I Kelley Mala have served a copy of this motion on Defendants CROWN BAY MARINA, INC at LAW OFFICE OF W.MARK WILCZYNSKI P.O. BOX 1150 ST.THOMAS, V.I. 00804 by postal mail service this day 12/18/2010 certify as stated.